

ENTERED

July 07, 2023

Nathan Ochsner, Clerk

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:**EPIC COMPANIES, LLC,****Debtors.¹**

**JEFFREY T. VARSALONE,
LIQUIDATING TRUSTEE,
Plaintiff.**
vs.

**CENTRAL BOAT RENTALS, INC.,
Defendant.**

§

§ **Chapter 11**

§

§ **Case No. 19-34752 (DRJ)**

§

§ **(Jointly Administered)**

§

§

§

§

§

§ **Adv. No. 21-03893**

§

§

§

§

§

**ORDER DENYING LIQUIDATING TRUSTEE'S
MOTION FOR SUMMARY JUDGMENT AND DENYING CENTRAL
BOAT RENTALS' CROSS MOTION FOR SUMMARY JUDGMENT**
[Relates to Document Nos. 12 and 15]

Came on for consideration the Liquidating Trustee's Motion for Summary Judgment (the "Motion")² and Central Boat Rentals, Inc.'s Cross Motion for Summary Judgment (the "Cross Motion"), and together with the Motion, (collectively, the "Summary Judgment Motions") and having considered the pleadings, evidence and argument of counsel, the Court finds that both Summary Judgment Motions should be denied. It is therefore **ORDERED** that:

1. The Summary Judgment Motions are denied.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Epic Companies, LLC (1473), Epic Diving & Marine Services, LLC (2501), Epic Applied Technologies, LLC (5844), Epic Specialty Services, LLC (8547), Epic Alabama Steel, LLC (6835), Epic San Francisco Shipyard, LLC (5763) and Zuma Rock Energy Services, LLC (1022). The mailing address for the Debtors is: P.O. Box 79625, Houston, Texas 77279-9625.

² Capitalized terms not otherwise defined herein having the meaning ascribed to them in the Motion.

2. The Liquidating Trustee has satisfied all of the elements for avoidance of the Transfer under section 547(b) of title 11 of the United States Code.

3. This Court shall retain exclusive jurisdiction to resolve any dispute arising from or related to this Order.

Signed: July 06, 2023.


DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE